

REMARKS

Claims 1-52 are currently pending in this application. By this Amendment, claims 1, 5, 10, 34, 41, 51 and 52 are amended. Claims 5, 10 and 41 have been amended for form. Support for claims 1, 34, 51 and 52 can be found in the specification at, for example, paragraph [0006]. No new matter has been added.

I. Allowable Subject Matter

Applicant thanks the Examiner for the indication that claims 42-50 are allowed.

II. Rejection

Claims 1-41, 51 and 52 are rejected under 35 U.S.C. §102(b) as being anticipated by Sakata (U.S. Patent No. 5,442,685).¹ The rejection is respectfully traversed.

Sakata does not teach or suggest the features of independent claims 1, 34, 51 or 52. Sakata does not teach or suggest "... an interruption controller that controls the communication recording unit to interrupt and to restart recording the telephone communication if the interruption occurs within a single call ..." as recited in independent claims 1 and 34 (emphasis added). In addition, Sakata does not teach or suggest a program product which causes a computer to "...interrupt and restart recording of the telephone communication if the interruption occurs within a single call ..." as recited in independent claims 51 and 52.

Sakata merely relates to an automatic telephone answering machine where individual conversations are recorded from start to finish, but never interrupted (see Sakata, col. 10, lines 28-50). Specifically, the alleged "interruption controller" of Sakata records separate telephone calls based on "signals indicative of a status (line status) of the telephone line 1,

¹ Applicant notes that the Office Action indicates on page 2 that claims 1-52 are rejected. Accordingly, Applicant assumes that claims 1-41, 51 and 52 are rejected because claims 42-50 are indicated as being allowed.

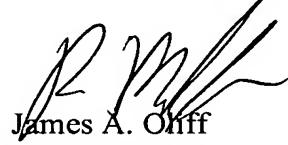
namely, the detected ring signal from the ring signal detection circuit 3" (see col. 10, lines 39-41 of Sakata). Therefore, the recording apparatus of Sakata is active between the beginning and end of each call, but is not controlled to interrupt and restart communication if the interruption occurs within a single call, as recited in independent claim 1, and as similarly recited in independent claims 34, 51 and 52.

Therefore, for at least these reasons, claims 1, 34, 51 and 52 are patentable over Sakata. Further, claims 2-33 and 35-41 variously depend from independent claims 1 and 34. Therefore, claims 2-33 and 35-41 are also patentable for at least their dependency on independent claims 1 and 34, as well as for the additional features they recite. Applicant thus respectfully requests withdrawal of the rejection.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO/PTM/tbm

Attachment:
Petition for Extension of Time

Date: February 1, 2008

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